

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Vishva M. Dixit
Serial No.: 09/224,556
Filed: 12/30/98
Entitled: **CD40 Binding Compositions And Methods Of Using Same**

INTERVIEW SUMMARY

EFS Web Filed
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being transmitted to the United States Patent and Trademark Office transmitted via the Office electronic filing system in accordance with 37 C.F.R. §1.6(a)(4).

Dated: March 10, 2009

By: /Joanne Doornbosch/
Joanne Doornbosch

Examiner Hayes:

This communication is Responsive to the Interview Summary and Notice of Allowance mailed February 10, 2009.

The Commissioner is hereby authorized to charge any fees during the entire pendency of this application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 that may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-4302, referencing Attorney Docket No. UM-06436. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

IN THE CLAIMS:

1-38. (cancelled)

39-42. (cancelled)

43. (cancelled)

44-46. (cancelled)

47-48. (cancelled)

49. (cancelled)

50. (cancelled)

51. (previously presented) An isolated nucleic acid that encodes a polypeptide comprising the amino acid sequence shown in SEQ ID NO:2.

52. (previously presented) The isolated nucleic acid of claim 51, wherein the nucleic acid is cDNA or RNA.

53. (previously presented) A composition comprising the isolated nucleic acid of claim 51 and a carrier.

54. (cancelled)

55. (previously presented) A vector comprising the isolated nucleic acid of claim 51.

56. (previously presented) An isolated host cell comprising the vector of claim 55.

57. (previously presented) A method of producing a mammalian protein or polypeptide having the ability to bind the cytoplasmic region of CD40 receptor, which comprises: a) growing the host cell of claim 56 under suitable conditions such that the nucleic acid is transcribed and translated into protein and b) purifying said protein.

58. (cancelled)

59-61. (cancelled)

REMARKS

This communication is Responsive to the Interview Summary and Notice of Allowance mailed February 10, 2009. Applicants' interview summary is as follows:

<u>Participants:</u>	Examiner Robert C. Hayes and Attorney Jason R. Bond.
<u>Date:</u>	January 12, 2009.
<u>Type:</u>	Telephonic.
<u>Exhibits:</u>	None.
<u>Claims Discussed:</u>	39-42, 44-46, 56, and 58.
<u>Agreement:</u>	Was reached.
<u>Substance:</u>	Applicant agreed to submit a supplemental amendment to cancel withdrawn claims 39-42, 44-46, and 58, and to amend Claim 56 to depend on the vector of Claim 55. The Examiner indicated that no interference was warranted with U.S. Pat. 6,265,556.

Should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicants encourage the Examiner to call the undersigned at 608-218-6900.

Dated: March 10, 2009

/Jason R. Bond/
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